

By: Kolkhorst

H.B. No. 2736

A BILL TO BE ENTITLED

AN ACT

relating to approval and certification of certain comprehensive development agreements.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter E, Chapter 223, Transportation Code, is amended by adding Section 223.211 to read as follows:

Sec. 223.211. APPROVAL AND CERTIFICATION. A comprehensive development agreement, including a facility agreement under a comprehensive development agreement, under which a private entity will operate a toll project or be entitled to receive revenue from the project must be:

(1) reviewed by the attorney general for legal sufficiency under Section 371.051, as added by Chapter 264 (S.B. 792), Acts of the 80th Legislature, Regular Session, 2007, and signed by the attorney general, if approved;

(2) reviewed by the comptroller for financial viability and signed and certified by the comptroller if approved;
and

(3) signed by the commissioner.

SECTION 2. Section 223.211, Transportation Code, as added by this Act, applies only to a comprehensive development agreement entered into on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2009.